

ISSUING AUTHORITY: Indiana Department of Correction, Reentry Division, Community Corrections Section		REVISED DATE: 08/14/2014
APPLICABLE TO: Community Corrections Grant Act Programs		
TITLE: Procedural Bulletin #2	SUBJECT: Legal Foundation	
TEXT: <div style="margin-left: 40px;"> PURPOSE: To provide general information concerning the legal foundation for the Community Corrections Grant Act Programs. </div> <div style="margin-left: 40px;"> LEGAL REFERENCE: IC 11-12 IC 4-22-2 210IAC 2-1 (1-4) </div> <div style="margin-left: 40px;"> RELATED BULLETINS: </div>		

I. Legal Foundation

- A. In 1979, the Indiana General Assembly created Article 12 (Community Corrections) of Title 11 (Corrections) which became the legal basis in the Indiana Code for authorizing the funding of the State's Community Corrections program (IC 11-12).
- B. As defined in IC 11-12-1-1, a community corrections program is "a community based program that provides preventive services, services to offenders, services to persons charged with a crime or an act of delinquency, services to persons diverted from the criminal or delinquency process, services to persons sentenced to imprisonment, or services to victims of crime or delinquency, and is operated under a community corrections plan of a county and funded at least in part by the state subsidy provided in IC 11-12-2."
- C. The purpose of IC 11-12, as stated in IC 11-12-1-2, is "Notwithstanding any other law, a county or any combination of counties may establish and operate a community corrections advisory board for the purpose of coordinating or operating community corrections programs. The county, in consultation with the advisory board, shall coordinate or operate community corrections programs for any of the following:
 - 1. The prevention of crime or delinquency.
 - 2. Persons sentenced to imprisonment in a local penal facility other than a state owned or operated facility.
 - 3. committed offenders.
 - 4. Persons ordered to participate in community corrections programs as a condition of probation.
- D. Further, IC 11-12 requires the Department to adopt Rules pursuant to IC 4-22-2. The Administrative Rules under 210 IAC 2-1(1-4) have the force of statute to govern CCGAP's funded under the Act.
- E. IC 11-12 also specifies that "community corrections programs shall use evidence based services, programs and practices that reduce the risk for recidivism among persons who participate in the community corrections programs.